

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS**

IN RE: ) Chapter 13  
 )  
KIMBERLEY BOLDEN, ) Case No. 16-30459  
 )  
Debtor(s). ) Judge Schmetterer

**NOTICE OF MOTION**

*The following persons or entities who have been served via electronic mail:*

U.S. Bankruptcy Trustee: USTPRegion11.ES.ECF@usdoj.gov

Tom Vaughn, Chapter 13 Trustee: ecf@tvch13.net

*The following persons or entities who have been served via U.S. Mail:*

See attached list.

Please take notice that I shall appear before the following named Bankruptcy Judge, or any other Judge presiding in her stead at 219 South Dearborn Street, Chicago, IL 60604, and present the attached **Motion to Modify Chapter 13 Plan**, at which time and place you may appear.

JUDGE: Schmetterer  
ROOM: 682  
DATE: January 10, 2018  
TIME: 9:00 AM

**PROOF OF SERVICE**

The undersigned certifies that a copy of this Notice of Motion and attachments were deposited at the United States Post Office, Wheeling, Illinois, 60090, on or before December 20, 2017, with sufficient postage prepaid, or served electronically by the bankruptcy court, under oath and under all penalties of perjury.

/s/ Dustin B. Allen  
Dustin B. Allen, A.R.D.C. #6312451  
Attorney for the Debtor(s)

DAVID M. SIEGEL & ASSOCIATES  
790 Chaddick Drive  
Wheeling, IL 60090  
847/520-8100

To the following persons or entities who have been served via first-class U.S. Mail:

Kimberley Bolden  
1929 N. Howe St., #1E  
Chicago, IL 60614

IRS  
Internal Revenue Service  
P.O. Box 7346  
Philadelphia, PA 19101-7346

Quantum3 Group LLC as agent for  
Comenity Bank  
PO Box 788  
Kirkland, WA 98083-0788

Cavalry Spv I, LLC  
Bass & Associates, P.C.  
3936 E. Ft. Lowell Road, Suite #200  
Tucson, AZ 85712

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Tucson, AZ 85712

Portfolio Recovery Associates, LLC  
Successor to CAPITAL ONE BANK, N.A.  
(CAPITAL ONE BANK, N.A.)  
POB 41067  
Norfolk, VA 23541

Wilmington Savings Fund Society, FSB, d/b/a Christ  
c/o Selene Finance LP  
9990 Richmond Ave. Ste 400 South  
Houston, TX 77042

Portfolio Recovery Associates, LLC  
Successor to CAPITAL ONE BANK, N.A.  
(CAPITAL ONE BANK, N.A.)  
POB 41067  
Norfolk, VA 23541

Illinois Department of Revenue  
Bankruptcy Unit  
PO Box 19035  
Springfield, IL 62794-9035

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KIMBERLEY BOLDEN,	)	Case No. 16-30459
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**MOTION TO MODIFY CHAPTER 13 PLAN**

NOW COME the Debtor, KIMBERLEY BOLDEN, by and through their attorneys, DAVID M. SIEGEL AND ASSOCIATES, to present this Motion, and in support thereof states as follows:

- 1) Jurisdiction is proper and venue is fixed in this Court with respect to these parties.
- 2) On September 26, 2016, the Debtor filed a voluntary petition for relief pursuant to Chapter 13 under Title 11 USC, and the Chapter 13 plan was confirmed on June 21, 2017. Tom Vaughn was appointed Trustee in this case.
- 3) The Debtor's Chapter 13 plan currently provides for payments of \$2,450.00 for 60 months, with payments to the General Unsecured Creditors in full.
- 4) The Debtor is currently in default in the amount of \$24,500.00.
- 5) The Debtor fell behind because she is longer at her job, and has been working part-time with a staffing agency. This has resulted in much less disposable income each month.
- 6) The Debtor proposes to modify her Chapter 13 plan pursuant to 11 U.S.C. §1329 to reduce her monthly plan payment to \$550.00 and defer the plan payment default to the end of the plan. Debtor makes this proposal in good faith and with the intention of completing her Chapter 13 plan.
- 7) Deferring the plan payment default and increasing the plan payment to \$550.00 will not cause the confirmed Chapter 13 plan to run longer than 60 months and will continue to pay General, Unsecured Creditors in full.

WHEREFORE, the Debtor, KIMBERLEY BOLDEN, prays that this Honorable Court enter an Order to Modify the Chapter 13 Plan, and for other such relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ Dustin B. Allen

Dustin B. Allen, A.R.D.C. #6312451

Attorney for the Debtor(s)

DAVID M. SIEGEL & ASSOCIATES  
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